

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

FEDERAL TRADE COMMISSION,
STATE OF CALIFORNIA, STATE OF
COLORADO, STATE OF ILLINOIS,
STATE OF INDIANA, STATE OF IOWA,
STATE OF MINNESOTA, STATE OF
NEBRASKA, STATE OF OREGON,
STATE OF TENNESSEE, STATE OF
TEXAS, STATE OF WASHINGTON, and
STATE OF WISCONSIN,

Plaintiffs,

v.

SYNGENTA CROP PROTECTION AG,
SYNGENTA CORPORATION,
SYNGENTA CROP PROTECTION, LLC,
and CORTEVA, INC.,

Defendants.

Case No. 1:22-cv-00828-TDS-JEP

**PLAINTIFFS' CONSENT MOTION
FOR EXTENSION OF TIME TO
RESPOND TO DEFENDANTS'
MOTIONS TO DISMISS THE
AMENDED COMPLAINT**

Plaintiffs Federal Trade Commission and the states of California, Colorado, Illinois, Indiana, Iowa, Minnesota, Nebraska, Oregon, Tennessee, Texas, Washington, and Wisconsin, by and through their undersigned attorneys and pursuant to Federal Rule of Civil Procedure 6(b) and Local Rules 6.1(a) and 7.3(f), respectfully move for an extension of time of seven days to oppose or otherwise respond to any motion to dismiss Plaintiffs' Amended Complaint. Defendants consent to this extension of time.

In support of this Motion, and showing good cause, Plaintiffs state the following:

1. Plaintiffs' original Complaint was filed on September 29, 2022. (Doc. 1).

2. On December 12, 2022, Defendants Corteva, Inc. and Syngenta Crop Protection AG, Syngenta Corporation, and Syngenta Crop Protection, LLC filed Motions to Dismiss the original Complaint. (Doc. 64, 65).

3. On December 23, 2022, Plaintiffs filed an Amended Complaint as of right under Federal Rule of Civil Procedure 15(a)(1)(B). (Doc. 79). The Amended Complaint moots the Defendants' pending Motions to Dismiss. (Doc. 64, 65).

4. On December 23, 2022, counsel for Defendants consulted with counsel for Plaintiffs and requested an extension of Defendants' time to answer, move, or otherwise respond to the Amended Complaint. Plaintiffs consented to a seven-day extension of Defendants' deadline to answer, move, or otherwise respond to the Amended Complaint, and Defendants consented to a reciprocal extension of seven days for Plaintiffs to oppose any motions Defendants may file in lieu of answering the Amended Complaint. (Doc. 84 at 2). Defendants have indicated that they intend to file motions to dismiss in response to the Amended Complaint. (Doc. 84 at 2).

5. On December 28, 2022, Defendants moved the Court for an extension of seven days to answer, move, or otherwise respond to Plaintiffs' Amended Complaint, up to and including January 13, 2023. (Doc. 84). On December 28, 2022, the Court entered an Order granting Defendants' Motion. *See Order (Dec. 28, 2022).*

Therefore, Plaintiffs respectfully move this Court to enter an Order granting Plaintiffs an extension of seven days to oppose or otherwise respond to any motions to

dismiss the Amended Complaint that Defendants may file, and such other or further relief as the Court deems proper and just.

Dated: January 3, 2023

Respectfully submitted,

/s/ James H. Weingarten

JAMES H. WEINGARTEN (DC Bar No. 985070)
Deputy Chief Trial Counsel
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
Telephone: (202) 326-3570
Email: jweingarten@ftc.gov

JOSEPH R. BAKER
WESLEY G. CARSON
ELIZABETH A. GILLEN
EDWARD H. TAKASHIMA

Attorneys for Plaintiff Federal Trade Commission

ROB BONTA
Attorney General

KATHLEEN E. FOOTE
Senior Assistant Attorney General

PAULA L. BLIZZARD
Supervising Deputy Attorney General

/s/ Nicole S. Gordon
NICOLE S. GORDON
California Office of the Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94610
Telephone: (415) 510-4400
Email: nicole.gordon@doj.ca.gov

Attorneys for Plaintiff State of California

PHILIP J. WEISER
Attorney General

/s/ Carla J. Baumel
JAN M. ZAVISLAN
Senior Counsel
CARLA J. BAUMEL
CONOR J. MAY
Assistant Attorneys General
Colorado Department of Law
Office of the Attorney General
Ralph L. Carr Judicial Center
1300 Broadway, 7th Floor
Denver, CO 80203
Telephone: (720) 508-6000
Email: Jan.Zavislan@coag.gov
Carla.Baumel@coag.gov
Conor.May@coag.gov

Attorneys for Plaintiff State of Colorado

KWAME RAOUL
Attorney General

/s/ Paul J. Harper
PAUL J. HARPER
Assistant Attorney General, Antitrust
Office of the Illinois Attorney General
100 W. Randolph Street
Chicago, IL 60601
Telephone: (312) 814-3000
Email: paul.harper@ilag.gov

Attorneys for Plaintiff State of Illinois

THEODORE E. ROKITA
Attorney General

/s/ Matthew Michaloski
MATTHEW MICHALOSKI
Deputy Attorney General
SCOTT BARNHART
Chief Counsel and Director of Consumer
Protection
Office of the Indiana Attorney General
Indiana Government Center South – 5th Fl.
302 W. Washington Street
Indianapolis, IN 46204-2770
Telephone: (317) 234-1479
Email: matthew.michaloski@atg.in.gov
scott.barnhart@atg.in.gov

Attorneys for Plaintiff State of Indiana

TOM MILLER
Attorney General

/s/ Noah Goerlitz
NOAH GOERLITZ
BRYCE PASHLER
Assistant Attorneys General
Office of the Iowa Attorney General
1305 E. Walnut St.
Des Moines, IA 50319
Telephone: (515) 725-1018
Email: noah.goerlitz@ag.iowa.gov
bryce.pashler@ag.iowa.gov

Attorneys for Plaintiff State of Iowa

DOUGLAS J. PETERSON
Attorney General

/s/ Joseph M. Conrad
JOSEPH M. CONRAD
COLIN P. SNIDER
Office of the Attorney General of
Nebraska
2115 State Capitol Building
Lincoln, NE 68509
Telephone: (402) 471-3840
Email: Joseph.Conrad@nebraska.gov
Colin.Snider@nebraska.gov

Attorneys for Plaintiff State of Nebraska

KEITH ELLISON
Attorney General

JAMES W. CANADAY
Deputy Attorney General

/s/ Katherine Moerke
KATHERINE MOERKE
JASON PLEGGENKUHLE
ELIZABETH ODETTE
Assistant Attorneys General
Office of the Minnesota Attorney General
445 Minnesota Street, Suite 1200
St. Paul, MN 55101-2130
Telephone: (651) 296-3353
Email: james.canaday@ag.state.mn.us
katherine.moerke@ag.state.mn.us
jason.pleggenkuhle@ag.state.mn.us
elizabeth.odette@ag.state.mn.us

Attorneys for Plaintiff State of Minnesota

ELLEN F. ROSENBLUM
Attorney General

/s/ Timothy D. Smith
TIMOTHY D. SMITH
Senior Assistant Attorney General
Antitrust and False Claims Unit
Oregon Department of Justice
100 SW Market St
Portland, OR 97201
Telephone: (503) 934-4400
Email: tim.smith@doj.state.or.us

Attorneys for Plaintiff State of Oregon

JONATHAN SKRMETTI
Attorney General

/s/ Hamilton Millwee
HAMILTON MILLWEE
Assistant Attorney General
TATE BALL
Assistant Attorney General
Office of the Attorney General of
Tennessee
P.O. Box 20207
Nashville, TN 37202
Telephone: (615) 291-5922
Email: Hamilton.Millwee@ag.tn.gov
Tate.Ball@ag.tn.gov

*Attorneys for Plaintiff State of Tennessee
Notice of Special Appearance
forthcoming*

ROBERT W. FERGUSON
Attorney General

/s/ Luminita Nodit
LUMINITA NODIT
Lumi.Nodit@atg.wa.gov
Assistant Attorney General,
Antitrust Division
Washington State Office
of the Attorney General
800 Fifth Ave., Suite 2000
Seattle, WA 98104
Tel: (206) 254-0568

*Attorneys for Plaintiff State
of Washington
Notice of Special Appearance
forthcoming*

KEN PAXTON
Attorney General

/s/ Margaret Sharp
BRENT WEBSTER
First Assistant Attorney General
GRANT DORFMAN
Deputy First Assistant Attorney General
SHAWN E. COWLES
Deputy Attorney General for Civil Litigation
JAMES LLOYD
Chief, Antitrust Division
TREVOR YOUNG
Deputy Chief, Antitrust Division
MARGARET SHARP
WILLIAM SHIEBER
Assistant Attorneys General
Office of the Attorney General, State of
Texas
300 West 15th Street
Austin, TX 78701
Telephone: (512) 936-1674
Email: Margaret.Sharp@oag.texas.gov

Attorneys for Plaintiff State of Texas

JOSHUA L. KAUL
Attorney General

/s/ Laura E. McFarlane
LAURA E. MCFARLANE
Assistant Attorney General
Wisconsin Department of Justice
Post Office Box 7857
Madison, WI 53707-7857
Telephone: (608) 266-8911
Email: mcfarlanele@doj.state.wi.us

Attorneys for Plaintiff State of Wisconsin